

## Message Text

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ACTION ARA-10

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R 031510Z JUL 75

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 162

AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

AMCONSUL RECIFE

C O N F I D E N T I A L BRASILIA 5461

E.O.11652: GDS

TAGS: PINT, BR

SUBJECT: PRESIDENT USES IA-5 ON SENATOR CAMPOS, TWO OTHERS  
INVOLVED IN CASE

REF: BRASILIA 5365

SUMMARY: IN THE WAKE OF PRESIDENTIAL USE OF IA-5 TO PUNISH  
SENATOR CAMPOS AND OTHERS INVOLVED IN THE EXTORTION CASE, COMMENT  
HAS TENDED TO DOWNPLAY THE EXECUTIVE ACTION AND TO FOCUS MOUNTING  
CRITICISM ON THE SENAT'S ACTION IN ABSOLVING CAMPOS. THAT ACTION  
HAS, IN FACT, SUBSTANTIALLY STRENGTHENED THE VIEW THAT THE POLITICAL  
CLASS, AS PRONE AS EVER TO CORRUPTION AND CRONYISM, CANNOT BE  
ENTRUSTED WITH ANY SIGNIFICANT POLITICAL POWER. END SUMMARY.

1. AS WAS GENERALLY EXPECTED, PRESIDENT GEISEL JULY 1 USED IA-5  
TO CASTIGATE SENATOR WILSON CAMPOS (ACCUSED OF EXTORTION BUT ABSOLVED  
BY THE SENATE OF VIOLATING PARLIAMENTARY DECORUM) AND TO STRIP  
HIM OF HIS POLITICAL RIGHTS FOR TEN YEARS: ALSO DEPRIVED OF THEIR  
POLITICAL RIGHTS FOR THE SAME PERIOD WERE INDUSTRIALIST CARLOS  
ALBERTO MENEZES DE SA (CAMPOS' ACCUSER, WHO PROMPTLY REAFFIRMED  
HIS OWN INNOCENCE), AND ROMERO DO REGO BARROS ROCHA, EX-DIRECTOR  
OF THE BANK INVOLVED.

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2. THE ACTION CAME LATE IN THE AFTERNOON OF A DAY MARKED BY

SUSPENSE, RUMOR, AND AGITATED ACTION AIMED AT HEADING OFF THE EXPECTED EXECUTIVE MEASURE BY PERSUADING CAMPOS TO RESIGN. INDEED, SENATOR LUIZ CAVALCANTI, CAMPOS' PERNAMBUCO COLLEAGUE AND PRINCIPAL DEFENDER, WAITED IN VAIN AT THE BRASILIA AIRPORT FOR CAMPOS' SON TO BRING THE RESIGNATION FROM RIO, WHERE CAMPOS HAD GONE TO REST. IN FACT, THERE NEVER WAS A RESIGNATION, AND THE SON ENDED UP DECLARING THAT NONE HAD EVER BEEN INTENDED.

3. IN THE IMMEDIATE AFTERMATH, THERE WAS NO DEARTH OF COMMENT, MUCH OF IT DOWNPLAYING THE SIGNIFICANCE OF THE PRESIDENTIAL ACTION. SENATE MAJORITY LEADER (AND ARENA PRESIDENT) PETRONIO PORTELLA AND SENATE PRESIDENT MAGALAES PINTO UNDERSTANDABLY BUT INCREDIBLY TOOK THE LINE THAT EVERYONE HAD DONE HIS DUTY, THE SENATE FOCUSING ONLY ON THE PARLIAMENTARY ASPECTS OF THE CASE AND THE PRESIDENT TREATING IT AS A WHOLE. MORE PLAUSIBLY, THERE WAS CONSIDERABLE COMMENT TO THE EFFECT THAT THIS PUNISHMENT OF CORRUPTION DOES NOT -- AT LEAST BY ITSELF -- NECESSARILY NEGATE THE DECOMPRESSION PROCESS. SAID THE PROMINENT JORNAL DO BRASIL'S LEAD EDITORIAL JULY 2, "...THERE WAS ALWAYS IMPLICIT AND EXPLICIT THE CONCEPT OF COMPATIBILITY BETWEEN THE APPLICATION OF IA-5 AND THE POLITICAL PROCESS OF DISTENSION. DISTENSION WOULD BE, AS WE RECENTLY COMMENTED, THE OUTCOME AND NOT THE BEGINNING OF THE PROCESS." THE LIBERAL JORNAL DE BRASILIA ASSERTED THAT GEISEL'S USE OF THE MEASURE DISARMED HARD-LINERS WHILE DEMONSTRATING THAT HIS POLICY WITH REGARD TO THE EXTRAORDINARY POWER "IS TO KEEP IT ACTIVE AND USE IT EXEMPLARILY IN CASES OF CORRUPTION AND SUBVERSION, AND AT THE SAME TIME TO HAVE IT AS AN EFFICIENT WEAPON AGAINST ANY PROVOCATION AGAINST HIS POLITICAL PROJECT". LESS DETERMINEDLY OPTIMISTIC, PRESTIGIOUS COLUMNIST CARLOS CASTELLO BRANCO NOTED THAT THE USE OF IA-5 INJURED BOTH THE AUTONOMY OF THE CONGRESS AND THE PROCESS OF DISTENSION. HE ALSO DEPICTED THE PRESIDENT'S ACTION, HOWEVER, AS CORRECTING THE SENATE'S ERROR, A VIEW WHICH WAS SO WIDESPREAD IN BOTH PUBLIC AND PRIVATE COMMENT AS TO DESERVE BEING CALLED UNIVERSAL.

4. HARSH CRITICISM, IN FACT, HAS BEEN DIRECTED AT THE SENATE FOR ABSOLVING CAMPOS, AND THE INTENSITY OF THE CRITICISM IS STILL GROWING. WHILE O ESTADO DE SAO PAULO, WHICH CALLED IT "UNARGUABLE.... THAT THE SENATE DID BADLY ON THE TEST", REPORTED MILITARY CIRCLES IN BRASILIA AS CALMLY CRITICAL OF THE SENATE

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FOR ITS "LACK OF SENSITIVITY" IN HAVING LOST AN OPPORTUNITY TO ENHANCE ITS CREDENTIALS IN THE EYES OF THE REVOLUTION, OTHER SECTORS -- INCLUDING POLITICAL REPORTERS AND VIRTUALLY ALL ELEMENTS IN THE CHAMBER OF DEPUTIES -- EXPRESSED EITHER SCORN OR CONSIDERABLE ANGER IN PRIVATE CONVERSATIONS WITH EMBOFFS: AND GEISEL HIMSELF WAS REPORTED TO BE FURIOUS. THIS REACTION, OF COURSE, BASES ITSELF ON THE WIDESPREAD ASSUMPTION THAT CAMPOS WAS GUILTY AND WOULD NECESSARILY AND PROPERLY HAVE TO BE PUNISHED

BY THE PRESIDENT IF THE SENATE ABSOLVED HIM. INDEED, THE PUZZLED SEARCH FOR WHAT MOTIVATED THE SENATORS TO ACT AS THEY DID HAS CONTINUED: ONE SUGGESTED FACTOR ADDITIONAL TO THOSE AMENTIONED IN PARA 5 OF REFTTEL IS A KIND OF SPIRE FELT BY ARENA SENATORS AGAINST PORTELLA: ANOTHER IS THE MORE COMPLICATED IDEA THAT ANTI-DECOMPRESSION SENATORS WANTED CAMPOS ABSOLVED IN ORDER TO HAMPER FURTHER THE PROCESS THEY OPPOSE. OTHER COMMENT ATTRIBUTED THE SENATE'S FAILURE TO FAULTY OR EVEN ABSENT ARENA LEADERSHIP, AND IN A SLASHING EDITORIAL THE JORNAL DE BRASILIA CALLED FOR ITS REPLACEMENT. SAID THE SAXME EDITORIAL, "(THE CASE) IS ONE OF THOSE ABERRENT AND EXCEPTIONAL REPETITIONS OF HISTORY, TO WHICH BRAZILIAN POLITICIANS REACT WITH SUCH INCOMPETENCE AND LACK OF SENSISTIVITY THAT WE ARE LEFT STUPEFIED, WITHOUT KNOWING WHETHER THEY ARE CARRYING OUT A DELIBERATELY SUICIDAL ADVENTURE OR WHETHER THEY ARE DEVELOPING A COMEDY OF ERRORS". PRIVATELY, THE PAPER'S EDITOR TOLD EMBOFF THERE WAS ONLY ONE EXPLANATION FOR THE SENATE ACTION: STUPIDITY.

5. COMMENT: SINCE THE SUNE 29 SENATE VOTE, IN FACT, THE ENORMITY OF THE ACTION AND ITS IMPLICATIONS HAVE GROWN STEADILY, AND WE CONCUR IN THE IDEA THAT THE SENATE VOTE WAS FAR MORE SIGNIFICANT AND FAR MORE SERIOUS IN ITS EFFECTS ON BRAZILIAN POLITICAL DEVELOPMENT THAN THE REACTION TO IT -- AT LEAST SO FAR -- OF THE REVOLUTION. THIS IS NOT TO MINIMIZE THE IMPORTANCE OF EITHER THE USE OR EVEN THE EXISTENCE OF IA-5, AND THERE CAN BE NO DOUBT THAT ITS USE IS BOTH HEARTENING TO THE HARD-LINERS AND LEAVES IT, SO TO SPEAK, LOOSER IN THE HOLSTER. THERE IS NO GETTING AROUND, HOWEVER, THE VIEW (WHICH AS WE HAVE NOTED IS VIRTUALLY UNIVERSAL) THAT CAMPOS WAS QUITE CLEARLY GUILTY, THAT HE SHOULD BE REMOVED FROM OFFICE, THAT THE SENATE TOOK OVER SIX MONTHS TO DEAL WITH THE MATTER, AND FINALLY, INEXPLICABLY, UNBELIEVABLY, BLEW IT. LESS PERSUASIVELY DEALT WITH IS THE QUESTION OF WHY ORDINARY LEGAL MEASURES WERE NOT PURSUED FROM THE OUTSET, BUT THE FACT IS THE SENATE WAS GIVEN, SO TO PUT IT, FIRST CRACK. THE PROSPECT OF ANOTHER DRAWN-OUT  
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PROCEDURE, IT IS ARGUED, THIS TIME IN THE NOTORIOUSLY OVERLOADED SUPREME COURT (BECAUSE OF CAMPOS' POSITION AS A SENATOR) WAS SIMPLY INTOLERABLE. CASTELLO BRANCO'S PRIVATE ESTIMATE TO EMBOFF WAS, IN FACT, THAT IT WOULD HAVE TAKEN TWO YEARS.

6. THE RESULT, IN ANY CASE, IS A SUBSTANTIAL STRENGTHENING OF THE VIEW THAT ARENA IS NOT A RELIABLE POLITICAL INSTRUMENT, AND THAT THE POLITICAL CLASS, AS PRONE AS EVER TO CORRUPTION AND CRONEYISM, CANNOT BE ENTRUSTED WITH ANY SIGNIFICANT POLITICAL POWER. WRITING ON THE SENATE'S ACTION, O ESTADO DE SAO PAULO'S BRASILIA BUREAU CHIEF ASKED WHO WOULD "RISK A PLUGGED NICKEL ON THE EFFICACY AND THE POSSIBILITIES OF DISTENSION? FINALLY, DISTENSION MEANS REPRESENTATIVE POLITICAL POWER GRADUALLY REASSUMING ITS PREROGATIVES AND PREPARING ITSELF FOR THE FULL EXERCISE OF POWER. CAN IT BE THAT THE POLITICIANS HAVE SHOWN THEMSELVES UP TO THEIR FUTURE MISSION,

IN A WAY (WHICH WOULD) TRANQUILIZE THE .... REVOLUTIONARIES?"

END COMMENT:

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